

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA, for the Use
and Benefit of D&D CONSTRUCTION I, INC.,
A Washington corporation,

Plaintiff,

v.

FIDELITY & DEPOSIT COMPANY OF
MARYLAND, a Maryland corporation,

Defendants.

No. 3:23-cv-05308-BHS

**JOINT STATUS REPORT AND
STIPULATED ORDER FOR
ADDITIONAL STAY**

PLAINTIFF United States of America, for the Use and Benefit of D&D Construction I, Inc. (“D&D Construction” or “Plaintiff”) and Fidelity & Deposit Company of Maryland (“Defendant”) hereby submit the following Joint Status Report and Stipulated Motion to Stay pursuant to the Court’s May 11, 2023 Order (Dkt. No. 8).

On May 8, 2023 the parties jointly moved for a 60-day stay of all case deadlines. (Dkt. No. 7). Currently, the parties are awaiting action of a third party not yet a part of this action, the owner of the contract at issue, the U.S. Army Corps of Engineers (“USACE”). As both parties are waiting for additional action from the USACE, they jointly move this court for an additional stay of ninety (90) days. At the end of the stay, the parties will file a joint status report to update the Court on the

JOINT STATUS REPORT AND STIPULATED
ORDER FOR ADDITIONAL STAY
23-cv-05308-BHS

- 1

DORSEY & WHITNEY LLP
COLUMBIA CENTER
701 FIFTH AVENUE, SUITE 6100
SEATTLE, WA 98104-7043
PHONE: (206) 903-8800
FAX: (206) 903-8820

status of the dispute and when, or if, an answer or responsive pleadings will be due. Defendant's previously submitted Motion to Stay (Dkt. No. 9) has been withdrawn in lieu of this stipulated stay.

DATED this 13th day of July, 2023

GORDON THOMAS HONEYWELL LLP

DORSEY & WHITNEY LLP

s/ Shelly M. Andrew

s/ Emily A. Yoshiwara

Shelly M. Andrew, WSBA # 41195

Marisa M. Bavand, WSBA #27929

Mitchell J. Wright, WSBA #60143

Allison L. Murphy, WSBA #43019

1201 Pacific Avenue, Suite 2100

Emily A. Yoshiwara, WSBA # 54648

Tacoma, Washington 98402

Columbia Center

P. (253) 620-6500

701 Fifth Avenue, Suite 6100

Email: sandrew@gth-law.com

Seattle, WA 98104-7043

Email: mwright@gth-law.com

P: (206) 903-8800

Counsel for Plaintiff

E: bavand.marisa@dorsey.com

E: murphy.allison@dorsey.com

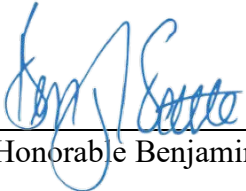
E: yoshiwara.emily@dorsey.com

Counsel for Defendant

ORDER

Good Cause Appearing, this Case and all deadlines shall be extended and stayed for a period of ninety (90) days.

DATED this 17th of July, 2023


Honorable Benjamin H. Settle

Presented by:

DORSEY & WHITNEY LLP

s/ Emily A. Yoshiwara

Marisa M. Bavand, WSBA #27929
Allison L. Murphy, WSBA #43019
Emily A. Yoshiwara, WSBA # 54648
Columbia Center
701 Fifth Avenue, Suite 6100
Seattle, WA 98104-7043
P: (206) 903-8800
E: bavand.marisa@dorsey.com
E: murphy.allison@dorsey.com
E: yoshiwara.emily@dorsey.com
Counsel for Defendant

GORDON THOMAS HONEYWELL LLP

s/ Shelly M. Andrew

Shelly M. Andrew, WSBA # 41195
Mitchell J. Wright, WSBA #60143
1201 Pacific Avenue, Suite 2100
Tacoma, Washington 98402
P. (253) 620-6500
Email: sandrew@gth-law.com
Email: mwright@gth-law.com
Counsel for Plaintiff

JOINT STATUS REPORT AND STIPULATED
ORDER FOR ADDITIONAL STAY
23-cv-05308-BHS

CERTIFICATE OF SERVICE

I hereby certify that on this date I caused to be served the foregoing on the following
counsel of record by the method indicated:

Mitchell J Wright, WSBA No. 60143
Shelly M. Andrew, WSBA No. 41195
GORDON THOMAS HONEYWELL LLP
1201 PACIFIC AVENUE
STE 2100
TACOMA, WA 98401
253-620-6500
Email: mwright@gth-law.com
sandrew@gth-law.com

- ☐ Via Messenger
☐ Via Facsimile
☐ Via U.S. Mail
☐ Via Electronic Mail
☒ Via ECF Notification

***Attorney for Plaintiff D&D Construction I,
Inc.***

Dated this 13th day of July, 2023.

/s/ Rachel Leigh

Rachel Leigh, Legal Assistant